

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SABATO CONTE, MICHAEL MURPHY, :
YAMIRA WONG, ANTHONY LARDO, and :
MATTHEW IAROCCI, on behalf of themselves :
and others similarly situated, :
Plaintiffs, : 21-cv-2516 (VEC)
-against- :
: ORDER
METROPOLITAN TRANSPORTATION :
AUTHORITY AND TRIBOROUGH BRIDGE :
AND TUNNEL AUTHORITY, :
: Defendants. :
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VALERIE CAPRONI, United States District Judge:

WHEREAS on October 24, 2022, the parties appeared before the Court for a discovery conference;

IT IS HEREBY ORDERED that for the reasons stated at the conference, not later than **Wednesday, October 26, 2022**, Plaintiffs' counsel must submit written confirmation to the Court that Plaintiff Robert Macaulay has no remaining paid time off that could be used for him to participate in a deposition in this case. If Mr. Macaulay does not have remaining paid time off, Defendants should consider him unavailable for deposition and should indicate what alternative opt-in Plaintiff they wish to depose. If Mr. Macaulay does have available paid time off, the parties must agree on a mutually convenient time so that he can be deposed before the end of fact discovery.

IT IS FURTHER ORDERED that for the reasons stated at the conference, by not later than **Thursday, October 27, 2022**, Plaintiff Eric Colby must produce responses or objections to any requests for production and interrogatories served upon him to date and must confirm his availability for a deposition on Friday, October 28, 2022. If Mr. Colby fails to satisfy those

conditions, not later than **Friday, October 28, 2022**, Defendants must notify the Court so that Mr. Colby can be struck as an opt-in Plaintiff for failure to participate in discovery.

SO ORDERED.

Date: October 24, 2022
New York, New York



VALERIE CAPRONI
United States District Judge